

Attorney Docket No. 076507-0385

REMARKS

This Reply is intended to be completely responsive to the final Office Action. Claims 1-4, 6-37 and 39-63 are pending in this Application. Claims 1-4, 6-37 and 39-63 stand rejected. The Applicants previously amended independent Claims 1, 18, 34 and 51 in a Reply and Amendment filed on November 13, 2003 in response to the non-final Office Action dated August 13, 2003.

Claim Rejections 35 U.S.C. § 103(a)

In the Detailed Action, the Examiner rejected independent Claims 1, 18, 34 and 51 as being unpatentable under 35 U.S.C. § 103(a) in view of certain combinations of U.S. Patent No. 4,637,666 issued to Worrell et al. ("Worrell et al."), U.S. Patent No. 5,904,328 issued to Leveridge et al. ("Leveridge et al."), U.S. Patent No. 4,852,500 issued to Ryburg et al. ("Ryburg et al."), and U.S. Patent No. 6,099,093 issued to Spence ("Spence").

Worrell et al. describes a "desk" having a "computer keyboard 38" that is "connected to the underside of the desk by conventional vertical swing pivot mechanism 40 for swinging movement" (see col. 4, lines 27-30). Worrell et al. also describes that a "carriage 44 itself" is "cantilever mounted on the desk top 14" (see col. 4, lines 42-43).

Ryberg et al. describes a "computer implement work area" having a mobile work surface 26" that "mounts a peripheral equipment rail trolley 28 having a peripheral platform 28A" and an "accessory trolley 32 and a peripheral platform 36 are also mounted to the work surface" and a "second mobile work surface 34 is also mounted at one end" (see col. 4, lines 15).

Leveridge et al. describes an "articulating computer monitor" that "includes a base 16 designed to rest on a horizontal surface such as the top of a computer user's desk" (see col. 2, lines 63-65).

Spence describes a "two user computer desk" having a "keyboard support assembly 10" with a "keyboard tray 16 and [a] keyboard tray guide 14 [that] are slidably connected by drawer

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runner means 28" to "allow reversible extension of the keyboard tray 16 toward the user" such that "keyboard tray 16 extends beyond the front edge of the desktop 4" (see Col. 3, lines 18-20, 39-41 and 47-50).

Independent Claims 1 and 34 (as previously amended) recite a "movable support system" and independent Claim 18 recites an "apparatus providing a movable support system." Independent Claims 1, 18 and 34 comprise, in combination with other elements, a "work surface mounted to the mounting structure above the first section of the display support assembly to provide a slot" (Claim 1) or "gap" (Claims 18 and 34) "through which the second section of the display support assembly projects into the work space" wherein the display device(s) [Claims 1 and 34] or the display panels [Claim 18] "may be selectively positioned for use within the work space in a variety of positions by (a) movement of the display support assembly relative to the mounting structure within the slot [or gap] and transverse to the work surface."

Independent Claim 51 (as previously amended) recites a "movable support system" comprising, in combination with other elements, a "mounting structure" and a "display support assembly having a first section movably coupled to the track and a second section projecting beyond the track into the work space" wherein a "display device installed on the display support assembly may be selectively positioned for use within the work space in a variety of positions by (a) movement of the display support assembly relative to the mounting structure transverse to the work surface."

The "movable support system" recited in independent Claims 1, 34 and 51 and the "apparatus" recited in independent Claim 18 are not disclosed, taught or suggested by Worrell et al., alone or in any proper combination with Spence, Ryberg et al. and/or Leveridge et al.

The suggestion to make the cited combination of Worrell et al., with Ryberg et al. and Spence (Claims 1 and 34) and/or Leveridge et al. (Claims 18 and 51), has been taken from the Applicants' own disclosure (using hindsight), which is improper. See M.P.E.P. § 2145. Furthermore, to transform the "desk" of Worrell et al., alone or in any proper combination with

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the "two user computer desk" of Spence, the "computer implement work area" of Ryberg et al. and/or the "articulating computer monitor" of Leveridge et al., into a "movable support system" as recited in independent Claims 1, 34 and 51 or an "apparatus" as recited in independent Claim 18 would require still further modification, and such modification is taught only by the Applicants' own disclosure.

The Applicants respectfully submit that the subject matter recited in independent Claims 1, 18, 34 and 51 (as previously amended), considered as a whole, would not have been obvious based on the "desk" of Worrell et al., alone or in any proper combination with the "two user computer desk" of Spence, the "computer implement work area" of Ryberg et al. and/or the "articulating computer monitor" of Leveridge et al. under 35 U.S.C. § 103(a). Accordingly, independent Claims 1, 18, 34 and 51 are patentable under 35 U.S.C. § 103(a).

Dependent Claims 2-4 and 6-17, which depend from independent Claim 1, are also patentable under 35 U.S.C. § 103(a). Dependent Claims 19-33 and 57, which depend from independent Claim 18, are also patentable under 35 U.S.C. § 103(a). Dependent Claims 35-37 and 39-50, which depend from independent Claim 34, are also patentable under 35 U.S.C. § 103(a). Dependent Claims 52-56 and 58, which depend from independent Claim 51, are also patentable under 35 U.S.C. § 103(a). See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) and reconsideration and allowance of Claims 1-4 and 6-17; 18-33 and 57; 34-37 and 39-50; and 51-56 and 58.

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The Applicants respectfully submit that the rejection of pending independent Claims 1, 18, 34 and 51 (as previously amended) under 35 U.S.C. § 103(a) is based on impermissible hindsight. The Applicants believe that each and every outstanding rejection to the pending claims has been overcome, and the Application is in condition for allowance. Independent Claims 1, 18, 34 and 51 (as previously amended) recite a combination of subject matter that is patentable under 35 U.S.C. § 103(a). The Applicants respectfully request reconsideration and allowance of Claims 1-4, 6-37 and 39-63.


The Examiner is invited to contact the undersigned by telephone if the Examiner believes that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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